

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

## **MEMORANDUM AND ORDER**

This matter is before the Court on review of Plaintiff's pro se complaint. The complaint is defective because it has not been drafted on a court-provided form, see Local Rule 2.06(A), and because Plaintiff has neither paid the filing fee nor submitted a motion to proceed in forma pauperis along with a prison account statement, see 28 U.S.C. § 1915(a).

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk shall mail to Plaintiff a copy of the court's form Prisoner Civil Rights Complaint.

**IT IS FURTHER ORDERED** that the Clerk shall mail to Plaintiff a copy of the court's form Motion to Proceed In Forma Pauperis – Prisoner Cases.

**IT IS FURTHER ORDERED** that Plaintiff shall file an amended complaint on the court-provided form within thirty (30) days of the date of this Order.

**IT IS FURTHER ORDERED** that Plaintiff shall either pay the \$350 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

**IT IS FURTHER ORDERED** that if Plaintiff submits a motion to proceed in forma pauperis, he must also submit a certified copy of his prison account statement for the six-month period immediately preceding the filing of his complaint.

**IT IS FINALLY ORDERED** that if Plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice. If the case is dismissed, the dismissal will not constitute a "strike" under 28 U.S.C. § 1915(g).

Dated this 11th day of July, 2011.

/s/Thomas C. Mumert, III

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THOMAS C. MUMMERT, III  
UNITED STATES MAGISTRATE JUDGE